

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
<p align="center">THE UNITED STATES</p> <p align="center">vs.</p> <p align="center">JAMES E. HENSON <i>(Jail)</i></p>	<p>For U. S.:</p> <p>Ben F. Baker Jack M. Short</p> <p>For Defendant: <i>583-0301</i> Patrick J. Malloy, III (Appt.) Thurston Natl. Bldg. Tulsa, Okla. 74103</p>

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed <i>10-21-72</i>	Clerk				
J.S. 3 mailed <i>11-7-72</i> <i>modified 9-4-73</i> Violation Firearms	Marshal				
Title 26	Docket fee				
Sec. 5861(d)					
1 Count					

DATE	PROCEEDINGS
10-26-72	Indictment, filed in open court. hm
10-26-72	Record vote of the Grand Jury, filed in open court. hm
10-27-72	Warrant issued - bail set at \$5,000. hm
10-31-72	Arraignment set 11-7-72 at 10am. (AEB-J)h
11-3-72	Return on warrant filed. h
11-7-72	Def. present in person and rep. by Pat Malloy III, appt counsel. The govt rep. by H. Bryant. Def. arraigned and enters plea of NOT GUILTY, and case passed to next jury docket. Def. remanded to U.S.M. (AEB-J)h
11-14-72	Motion of def. to suppress evidence, w/brief in support thereof, filed. r
11-29-72	Application for extension of time to respond to Def's motion to suppress evidence and Motion to Dismiss Complaint filed. h <i>order to judge</i>
12-1-72	Order granting pltf. to 12/15/72 to respond to defs.' pre-trial motion. (AEB-J) rm- <i>Ben F. Baker - Pat Malloy</i>
12-8-72	Response to deft's Mot to Suppress & Dismiss, filed. (Copy to Dene) r
12-15-72	Case set for Jury Trial on Tues, 1-9-73, at 10:00 A.M. (AEB-J)v -notices mailed.

DATE	PROCEEDINGS
12-27-72	Hearing held on motions. Def. present and rep. by Pat Malloy, III, appt. counsel. Witnesses sworn. Defendants motion to suppress evidence is overruled and Def's motion to dismiss complaint overruled. Case passed for jury trial on Tues. 1-9-73 at 10:00 A.M.(AEB-J)h
12-27-72	Exparte hearing on application of defendant to expend funds for investigative services and application is denied.(AEB-J)h
1-4-73	Marshal's return on seven (7) subpoenas to testify, filed. (USM \$16.88)rm
1-5-73	Application for authorization to subpoena witnesses in accordance with Rule 17(b) of the Federal Rules of Criminal Procedure filed by def.h
1-8-73	Order, filed, that subpoenas to witnesses be issued & served at expense of Govt. (AEB-J)hm (copies mailed)
1-9-73	Def. present in person and rep. by Pat Malloy, III; govt rep. by J.Short. Case called for jury trial, and tried 1-9-73 and 1-10-73. Jury returns with a verdict 1-10-73 finding the defendant GUILTY as charged. Verdict, received, read and filed in open court. Defendant adjudged GUILTY as charged. Upon application of def, immediate sentence given.
	Judgment and Sentence- James E. Henson (27)
	It is adjudged that the def. is committed to the custody of the Atty Gen or his authorized rep. for imprisonment for the max. period of 10 yrs, for a study as described in 18 USCA § 4208(c), the results of such study to be furnished this court within 90 days, whereupon the sentence of imprisonment herein imposed maybe subject to modification in accordance with 18 USCA § 4208(b).(AEB-J)h (Ex 1 in vault-Ex 2 in file)
1-9-73	Order of J&C filed and entered. Two c.c. to USM.(AEB-J)h
1-29-73	Return on Judgment & Commitment filed. Executed by delivering deft. on 1-19-73 to Medical Center Federal Prisoners at Springfield, Mo. jj
4-17-73	Def. present in person and rep. by Pat Malloy, III, appt. counsel. The govt rep. by Jack M. Short. Judgment and Sentence- James E. Henson
	Ct. 1- Def. committed to the custody of the Atty Gen for a maximum period of Three (3) years, and further ordered that the def. may become eligible for parole at such time as the board of parole may determine as provided in T. 18, U.S.C.A. § 4208(a)(2).(AEB-J)h Ct. directs that def. get proper surgery as requested.
4-17-73	Order of J& C filed and entered. Two c.c. to U.S.M. h(AEB-J)h
5-7-73	J&C, ret. & filed: deft. delivered to Med. Center for Fed. Prisoners, Springfield, Mo., 5-2-73. g
	and entered
7-20-73	Order, filed/ overruling Mtn. pursuant ot Rule 35. (AEB-J)jj (Mtn. purs. to Rule 35 consists of various letters)
8-14-73	Order Modifying Judgment and Sentence, filed and entered. Modified as follows: "Deft. is committed to custody of Atty. Gen. for Imprisonment for a period of 18 Months". (AEB-J)v -copies mld. to parties & 2 certified copies sent to U.S. Marshal. <i>Copy to Bess & Warden</i>
11-20	Order for transfer of evidence, filed, directing Clerk to deliver Ex. 1 to Bureau of AT&F for disposition. (AEB-J)hm (w/receipt from U.S. Atty.) (copy to U.S. Atty.)

UNITED STATES MAGISTRATE

NORTHERN DISTRICT OF OKLAHOMA

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Morris L. Bradford U. S. Court House, Tulsa, Oklahoma
(Name of magistrate) (Address)

MAGISTRATE'S
DOCKET NO. 1 CASE NO. 466
THE UNITED STATES
vs.
JAMES E. HENSON

Complaint filed on Oct. 18, 19 72, by Nels C. Nelson
Official title Special Agent, ATF, charging violation of
United States Code, Title 26, Section 5861(d), on Oct. 15
19 72, at Tulsa, Oklahoma in the
XXXXXXX Northern district of Oklahoma
as follows: Did unlawfully possess a firearm not
Registered to him in the National Firearms Registration
and Transfer Record, to-wit: A Stevens 16-gauge shotgun
having no serial number with a 12-1/2 inch barrel and
being 28-1/4 inches overall in length

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date Oct. 18, 1972 Warrant/Summons for James E. Henson
(Name of defendant)
to (name and title of officer) U. S. Marshal or any other authorized person
Substance of return Executed by arrest of James E. Henson on October 18, 1972 at
Tulsa, Oklahoma
Date _____ Warrant/Summons for _____
(Name of defendant)
to (name and title of officer) _____
Substance of return _____

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO MAGISTRATE:

Date October 18, 1972 Arrested by Nels C. Nelson { on warrant of Morris L. Bradford
(Name of issuing officer)
XXXXXXX Tulsa, Oklahoma
(Address)
Appearances { for United States Ben F. Baker (Name)
for accused None (Name)
Proceedings taken Defendant appeared in person and was advised of his right to counsel
(Here insert with dates, when appropriate, a seriatim account of essential steps taken at hearing such as "complaint prepared,"
at this hearing and all future proceedings. Defendant waived counsel for this
if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"
hearing and requested the Court to appoint counsel. Defendant was advised of the
if that is the fact; any adjournments taken, etc.
charges filed against him as contained in Complaint, of his right to bail and right
to a preliminary hearing. Bail was fixed at \$5,000 cash or surety. Preliminary
hearing was set for October 31, 1972 at 9:30 A.M. Patrick Joseph Malloy, III was
appointed to represent defendant.

Outcome Defendant remanded to the custody of U. S. Marshal in lieu of bond

Bail fixed October 18, 19 72 Amount, \$ 5,000.00 Bonded _____, 19 _____, by cash
deposited by (name) _____ Address _____
transmitted to clerk of district court _____, 19 _____ [or] by surety
(name) _____ Address _____
(name) _____ Address _____, who
justified by affidavit dated _____, 19 _____, [or] committed to _____
on _____, 19 _____

SUBPOENAS FOR WITNESSES ISSUED:

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date _____ Appearances for _____

{ United States (Name) _____
(Address) _____
Accused (Name) _____
(Address) _____

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

_____, _____
_____, _____
_____, _____
_____, _____

Witness payroll containing _____ names certified to United States Marshal for payment _____, 19____
Proceedings taken _____

INDICTED BY THE GRAND JURY on OCTOBER 26, 1972 - 72-CR-187

Outcome _____
Bail fixed _____, 19____ Amount, \$ _____ Bonded _____, 19____, by cash
deposited by (name) _____ Address _____
transmitted to clerk of district court _____, 19____
[or] by surety (names) _____ Address _____
and _____ Address _____
who justified by affidavit _____, 19____ Committed to _____
on _____, 19____
Certified to be a correct transcript.
Made this 27th day of October, 19 72
Transmitted to Clerk of United States District Court for the Northern
district of Oklahoma October 27, 19 72

United States Magistrate.